

STATEMENT OF SUBSTANCE OF INTERVIEW

An interview was conducted between Examiner Nghi H. Ly and the undersigned Applicant's representative on April 30, 2004. As indicated in the Interview Summary, claim 1 was discussed. In particular, the rejection of claim 1 in view of Leslie. An agreement was reached. As indicated in the Interview Summary, the rejection of claims 1-13 under 35 U.S.C. § 102(e) in view of Leslie has been withdrawn.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

REMARKS

This Amendment, submitted in reply to the Office Action dated July 12, 2004, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-13 are all the claims pending in the application. Claims 1-13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Leslie et al. (USP 6,404,775) in view of Evans et al. (USP 5,448,619). Applicant submits the following in traversal of the rejection.

In regard to Leslie, the Examiner asserts that the wireless connection between base station 114 and antenna 128 teaches a downstream radio access system for setting up a downstream link to a base transceiver station of a public mobile telephone network, as recited in claim 1. However, there is no indication of a *downstream radio access system for setting up a*

downstream link to a base transceiver station. There is at most disclosed a cellular base station 114 and communications to and from the cellular base station.

The Examiner also asserts that the wireless connection between subscriber 218 and antenna 140 in Fig. 2 teaches an upstream radio access system for setting up an upstream link to a mobile telephone of the second public network. However, claim 1 recites an upstream radio access system for setting up an upstream link to a mobile telephone of the **private network** which is not taught in Leslie. As stated by the Examiner on page 3 of the Office Action, Leslie does not disclose a private network.

Furthermore, there is no indication of an upstream radio access system which sets up an upstream link to a mobile telephone of a private network. The PCS system includes a base terminal emulation 140, channels 224 and 226, and subscriber 218. The channels 224 and 226 transmit and receive information to and from the antenna (140) of base terminal emulation and subscriber 218. There is no indication of the claimed upstream radio access system. Assuming channels 224 and 226 are being cited for teaching an upstream radio access system, it appears that a link set up to the subscriber 218 (mobile station as cited by the Examiner) is downstream (since access is set up with a public network) and not upstream. See Fig. 2.

Claim 1 further recites that the upstream and downstream system apply the same mobile telephone standard which is that of the public mobile telephone network. However, Leslie discloses two different public mobile telephone networks (PCS system 242 and cellular system

112). Therefore, the same mobile telephone standard is not applied for both an upstream and downstream system.

Claim 1 also recites a service signal converter which extracts from signaling, information specific to mobile telephones belonging to the private network and used to manage calls between the terminals of the private network and store that information in a local database. As previously stated, there is no indication of a private network.

The Examiner indicates that Leslie does not specifically disclose that the second public network is a private network and cites Evans to cure the deficiency. In particular, the Examiner asserts that a repeater can be used in both a public network and a private network as taught in Evans.

However, assuming Evans and Leslie were combined, the combination of Evans with Leslie is not obvious. In particular, the teachings of Leslie are directed to public networks. The Examiner's motivation for modifying Leslie is merely a result of impermissible hindsight. In particular, modifying Leslie to teach a public and private network would result in a substantial reconstruction of the principle operation of Leslie, which is insufficient to establish a *prima facie* case of obviousness. MPEP 2143.01.


In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No.: 09/773,729

Attorney Docket No.: Q63000

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Ruthleen E. Uy
Registration No. 51,361

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 12, 2004